

ATTACHMENT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
: TO BE FILED UNDER SEAL
UNITED STATES OF AMERICA, :
: 20 Cr. 15 (PKC)
- v. - :
: VIRGIL GRIFFITH, :
: SEALED ORDER FOR THE
: ISSUANCE OF AN *EX PARTE*
Defendant. : SUBPOENA PURSUANT TO
: RULE 17(c)
-----X

Upon the application of the defendant Virgil Griffith, the attached affirmation of Brian E. Klein, and finding good cause therefor, it is

ORDERED that pursuant to Rule 17(c) of the Federal Rules of Criminal Procedure, the attached subpoena be issued to the following:

Verizon
Attn: VSAT
180 Washington Valley Road
Bedminster, New Jersey 07921

Directing production of the following:

A list of any and all IP addresses associated with the email address dprk.un@verizon.net, and any logs or similar records of access to the email address dprk.un@verizon.net, for the period from November 1, 2018 to October 30, 2019.

And it is further

ORDERED that the subpoena be complied with no later than April 30, 2020. The subpoena may be complied with by having the information delivered to the following address: Brian E. Klein,

Esq., Baker Marquart LLP, 777 South Figueroa Street, Suite 2850, Los Angeles, California, 90017, or delivered via email to bklein@bakermarquart.com.

And it is further

ORDERED that Verizon shall not disclose the existence of this Order or the accompanying subpoena to any third parties other than those necessary to effectuate performance pursuant to the subpoena.

And it is further

ORDERED that this Order, and the materials submitted by the defendant in support thereof, be filed *ex parte* and under seal until further Order of this Court.

Dated: New York, New York
_____, 2020

SO ORDERED

HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)

v.)

Virgil Griffith) Case No. 20 Cr. 15 (PKC)

Defendant)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR
OBJECTS IN A CRIMINAL CASETo: Verizon, ATTN: VSAT
180 Washington Valley Road, Bedminster, New Jersey 07921

(Name of person to whom this subpoena is directed)

YOU ARE COMMANDED to produce at the time, date, and place set forth below the following books, papers, documents, data, or other objects:

A list of any and all IP addresses associated with the email address dprk.un@verizon.net, and any logs or similar records of access to the email address dprk.un@verizon.net, for the period from November 1, 2018 to October 30, 2019.

Place: Brian E. Klein, Esq., Baker Marquart LLP, 777 South
Figueroa Street, Suite 2850, Los Angeles, California,
90017; bklein@bakermarquart.com

Date and Time: 04/30/2020 9:00 am

Certain provisions of Fed. R. Crim. P. 17 are attached, including Rule 17(c)(2), relating to your ability to file a motion to quash or modify the subpoena; Rule 17(d) and (e), which govern service of subpoenas; and Rule 17(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

(SEAL)

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the attorney representing (name of party) _____
Virgil Griffith _____, who requests this subpoena, are:

Brian E. Klein, Esq., Baker Marquart LLP, 777 South Figueroa Street, Suite 2850, Los Angeles, California, 90017

Notice to those who use this form to request a subpoena

Before requesting and serving a subpoena pursuant to Fed. R. Crim. P. 17(c), the party seeking the subpoena is advised to consult the rules of practice of the court in which the criminal proceeding is pending to determine whether any local rules or orders establish requirements in connection with the issuance of such a subpoena. If no local rules or orders govern practice under Rule 17(c), counsel should ask the assigned judge whether the court regulates practice under Rule 17(c) to 1) require prior judicial approval for the issuance of the subpoena, either on notice or ex parte; 2) specify where the documents must be returned (e.g., to the court clerk, the chambers of the assigned judge, or counsel's office); and 3) require that counsel who receives produced documents provide them to opposing counsel absent a disclosure obligation under Fed. R. Crim. P. 16.

Please note that Rule 17(c) (attached) provides that a subpoena for the production of certain information about a victim may not be issued unless first approved by separate court order.

Case No. 20 Cr. 15 (PKC)

PROOF OF SERVICE

This subpoena for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
 tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.: